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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/240,134	01/29/1999	FUMIAKI TAKAHASHI	B208-685 DIV	6964

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EXAMINER

LUU, LE HIEN

ART UNIT	PAPER NUMBER
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2141

26

DATE MAILED: 08/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/240,134

Applicant(s)

TAKAHASHI ET AL.

Examiner

Le H Luu

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05/30/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33,47-53,55-63 and 65-75 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33,47-53,55-63 and 65-75 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

1. Claims 33, 47-53, 55-63, and 65-75 are presented for examination.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 33, 47-53, 55-63, and 65-75 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Baker et al (Baker)** patent no. **5,428,730**, in view of **Kraslavsky et al. (kraslavsky)** patent no. **5,537,626**.

4. As to claim 33, Baker teaches the invention substantially as claimed, including a control device for controlling a network device connected to a network, comprising:

a communication interface adapted to received a description file including description data for a control panel of the network device (Abstract, col. 5 lines 26-55; col. 7 line 50 - col. 8 line 12); and

a controller adapted to automatically activate the description file after the description file is received from the network device (col. 7 line 50 - col. 8 line 12).

However, Baker does not explicitly teach said description file is received from the network device via the network.

Kraslavsky teaches a network printer with a NEB exports control information to network administrator PC via LAN network (col. 4 line 1-35; col. 6 line 45 - col. 7 line 19).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Baker and Kraslavsky to receive said description file from the network device via the network as taught by Kraslavsky because it would enhance the network device to be a responsive and intelligent member in the network.

5. As to claims 47, 49-50, Baker teaches the control panel includes graphical elements for controlling functions of the network devices; the controller display an icon representing the network device on a display device after the description file is automatically activated; the controller displays the control panel on the display device after the icon is selected by a user (Figure 2, begins from col. 4 line 6; and col. 6 lines 5-26).

6. As to claim 48, Baker teaches the communication interface receives the description file, after the control device detects that the network device is connected to the network (col. 7, line 50 - col. 8 line 12).

7. As to claim 51, Baker teaches the control device transmits a message corresponding to a graphical element of the control panel to the network device when

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the graphical element is operated by a user (col. 6 lines 5-25). As to claims 52, Baker teaches the network device is represented as an object by predetermined objected oriented technique (col. 12 lines 23-25).

8. As to claims 53-54, Baker teaches the network device is a CD player, a digital video recorder, a digital camera, a digital television, a facsimile, a copying machine, or a printer (figure 1, figure 3).

9. As to claim 55, Baker teaches the control device is a personal computer, a word processor or a workstation (col. 2 lines 48-66).

10. Claims 56-75 have similar limitations as claims 33 and 47-55; therefore, they are rejected under the same rationale. In addition, representing a device as an object using object oriented technique is well known.

11. Applicant's arguments with respect to claim 33, 47-53, 55-63, and 65-75 have been considered but are deemed to be moot in view of the new grounds of rejection.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H. Luu, whose telephone number is (703) 305-9650. The examiner can normally be reached Monday through Friday from 7:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached at (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231


or faxed to:

(703) 746-7239, (for formal communications; please mark
"EXPEDITED PROCEDURE").

Or:

(703) 746-7240 (for informal or draft communications, please label
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).



LE HIEN LUU
PRIMARY EXAMINER

August 14, 2003